

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

SHUA TILAHUN,

No. 6:16-cv-00070-AC

Plaintiff,

ORDER

v.

MICHAEL F. GOWER, et al.,

Defendants.

HERNÁNDEZ, District Judge:

Magistrate Judge John Acosta issued a Findings and Recommendation on May 3, 2021, in which he recommends that this Court deny Plaintiff's motions for summary judgment and grant Defendants' motion for summary judgment. F&R, ECF 169. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Plaintiff filed timely objections to the Magistrate Judge's Findings & Recommendation. Pl. Obj., ECF 171. When any party objects to any portion of the Magistrate Judge's Findings &

Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1); *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

The Court has carefully considered Plaintiff's objections and concludes that there is no basis to modify the Findings & Recommendation. The Court has also reviewed the pertinent portions of the record *de novo* and finds no error in the Magistrate Judge's Findings & Recommendation.

### CONCLUSION

The Court ADOPTS Magistrate Judge Acosta's Findings and Recommendation [169]. Therefore, Plaintiff's Motion for Summary Judgment [101]<sup>1</sup> is DENIED and Defendant's Motion for Summary Judgment [142] is GRANTED.

IT IS SO ORDERED.

DATED: July 28, 2021.



MARCO A. HERNÁNDEZ  
United States District Judge

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<sup>1</sup> Plaintiff filed thirty separate motions for partial summary judgment. The Court previously construed the motions as a single motion for summary judgment. Order, ECF 138. The Court's reference in this Order to Plaintiff's "Motion for Summary Judgment" refers collectively to each of Plaintiff's motions for partial summary judgment.